

## **REMARKS**

Claims 67-83 are currently pending in the present application. Claim 66 has been cancelled, and claims 67-69 and 71-75 have been amended in this response. Specifically, claims 68, 69 and 72 have been rewritten in independent form without narrowing or otherwise changing the scope of these claims.

In the Office Action mailed April 5, 2005, claims 66, 67, 71, 73, 75, 76, 80 and 82 were rejected. More specifically, the status of the application in light of this Office Action is as follows:

(A) The disclosure was objected to because of formalities;

(B) Claims 66, 67, 71, 73, 75, 76, 80 and 82 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,360,516 to Cutright et al. ("Cutright"); and

(C) Claims 68-70, 72, 74, 77-79, 81 and 83 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form to include the features of the claims from which they depend.

The undersigned attorney wishes to thank the Examiner for engaging in a telephone conference on June 29, 2005, and requests that this paper constitute the applicants' Interview Summary. During the telephone conference, the present Office Action, Cutright, and a proposed amendment to claim 66 were discussed. The following remarks summarize and expand upon the points discussed during the telephone conference.

### **A. Response to the Objection to the Specification**

The disclosure was objected to because the Cross-Reference to Related Application section included blank spaces. This section has been amended in this response to replace the blank spaces with the pertinent information.

B. Response to the Section 102(b) Rejection

Claims 66, 67, 71, 73, 75, 76, 80 and 82 were rejected under 35 U.S.C. § 102(b) as being anticipated by Cutright. Claim 66 has been cancelled in this response and therefore the rejection of claim 66 is now moot. Claims 67, 71 and 73 have been amended to depend from claim 69, which was indicated to be allowable. Therefore, the rejection of claims 67, 71 and 73 should be withdrawn.

1. Claim 75 Is Directed to an Apparatus for Forming a Planarizing Pad Including a Nozzle Positioned to Spray Discrete Texture Elements at Least Partially in a Longitudinal Direction Defined by a Pad Support Material

Claim 75 is directed to an apparatus for forming a planarizing pad for mechanically and/or chemically-mechanically planarizing a microelectronic substrate. The apparatus includes (a) a support device configured to support a pad support material in a selected position, (b) a vessel for mixing planarizing pad material, and (c) a nozzle in fluid communication with the vessel and configured to form the planarizing pad material into discrete texture elements for disposing on the pad support material. The pad support material is elongated in a longitudinal direction. The nozzle is positioned to spray the discrete texture elements at least partially in the longitudinal direction.

2. Cutright Discloses an Apparatus for Treating Paper with Other Material in Repetitive Patterns

Cutright discloses an apparatus for treating paper with other material in repetitive patterns. The apparatus includes a venturi slot applicator 40 and a feedblock 54 attached to the venturi slot applicator 40. The venturi slot applicator 40 includes a rotary air valve vessel 49 and a rotary air valve drum 45 disposed in the vessel 49. The vessel 49 has a single radial channel 50, and the drum 45 has a hollow interior 47 and a plurality of channels 46 in fluid communication with the hollow interior 47. The hollow interior 47 is connected to an air compressor that supplies the drum 45 with compressed air. The drum 45 is also coupled to a motor that rotates the drum 45 at a constant angular velocity. When one of the channels 46 in the drum 45 aligns with the

channel 50 in the vessel 49, a charge of compressed air passes from the hollow interior 47 through the channels 46 and 50 and into the feedblock 54.

The feedblock 54 includes an applicator slot 55, a plurality of cavity reservoirs 59, and a plurality of supply slots 60 extending between the applicator slot 55 and corresponding cavity reservoirs 59. The applicator slot 55 has an inlet end 56 aligned with the channel 50 to receive the charge of compressed air and an outlet end 57 positioned adjacent to a moving pulp web 21. As such, the applicator slot 55 is positioned perpendicular to the pulp web 21. In operation, slurry flows from the cavity reservoirs 59 through the supply slots 60 to the applicator slot 55. When a pulse of compressed air passes through the applicator slot 55, the air entrains the slurry and deposits the entrained slurry onto the pulp web 21. Between the pulses of compressed air, the slurry accumulates at the applicator slot 55 on the ledges 61 due to surface tension. As the cycle is repeated, a series of bands of slurry can be applied to the pulp web 21.

3. Cutright Fails to Disclose or Suggest an Apparatus for Forming a Planarizing Pad Including a Nozzle Positioned to Spray Discrete Texture Elements in a Longitudinal Direction Defined by a Pad Support Material

Cutright fails to disclose or suggest an apparatus for forming a planarizing pad including, *inter alia*, a support material "elongated in a longitudinal direction" and a nozzle "positioned to spray the discrete texture elements at least partially in the longitudinal direction," as recited in claim 75. The applicants do not concede to the characterization of Cutright in the Office Action, but even if the applicator 40 and/or the feedblock 54 correspond to the nozzle of claim 75 as suggested by the Examiner, then the applicator 40 is not positioned to spray the compressed air and entrained slurry at least partially in a longitudinal direction defined by the pulp web. Rather, the applicator sprays the compressed air and entrained slurry in a direction directly perpendicular to the pulp web. Accordingly, Cutright fails to disclose all the elements of claim 75.

Moreover, one of ordinary skill in the art would not be motivated to modify Cutright's apparatus to include the claimed combination of features. For example, if

Cutright's apparatus were modified so that the applicator could spray the compressed air and entrained slurry at least partially in a longitudinal direction relative to the web, Cutright's device would be inoperable. Specifically, if the angle of the feedblock were changed so that the applicator slot could spray in the longitudinal direction, the slurry would not remain on the ledges 61 between pulses of compressed air. Rather, the slurry would flow into the applicator slot and onto the pulp web continuously. Thus, the modified apparatus would not form discrete bands on the pulp web in a repetitive cycle. Therefore, one of ordinary skill in the art would not be motivated to modify Cutright's device to include the claimed combination of features because such a modification would render the device inoperable. Consequently, the Section 102(b) rejection of claim 75 should be withdrawn.

Claims 76, 80 and 82 depend from claim 75. Accordingly, the Section 102(b) rejection of these claims should be withdrawn for the reasons discussed above with reference to claim 75 and for the additional features of these claims.

C. Allowable Subject Matter

Claims 68-70, 72, 74, 77-79, 81 and 83 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form to include the features of the claims from which they depend. Claims 68, 69 and 72 have been amended accordingly. Therefore, the objection to these claims should be withdrawn.

Claim 70 depends from claim 69, which was indicated to be allowable. Therefore, the objection to claim 70 should be withdrawn.

Claim 74 depends from claim 68, which was indicated to be allowable. Therefore, the objection to claim 74 should be withdrawn.

Claims 77-79, 81 and 83 have not been rewritten in independent form because the rejection of their respective independent claim should now be withdrawn.

Although the applicants' attorney agrees with the Examiner's conclusions that these claims are allowable, the applicants' attorney notes that the claims may be

allowable for reasons other than those identified by the Examiner and does not concede that the Examiner's characterization of the terms of the claims and the prior art are correct.

D. Conclusion

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the applied art. A Notice of Allowance is, therefore, respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-6465.

Respectfully submitted,

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